



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING July 25, 2006 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:00 p.m. (The Finance Committee met at 1:00 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Brian B. Barnwell, Iya G. Falcone.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

PUBLIC COMMENT

Speakers: Lazarus, Kenneth Loch, Celeste Barber, James O. Jorden, Roger Perry, Dallas Atkins, Austin, and Nick.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Horton mentioned his attendance at recent meetings of the Greater Santa Barbara Lodging Association and the Santa Barbara Conference and Visitors Bureau.
- Councilmember Schneider reported on the meeting of the Housing Authority Commission at which the Bermant development project on East Montecito Street was discussed.

(Cont'd)

Information (Cont'd):

- Councilmember Williams commented on the following: 1) meetings of the Cachuma Operation & Maintenance Board and the Cachuma Conservation Release Board, during which the boards' participation in the Integrated Regional Water Management Plan was discussed; and 2) a Teen Summer Concert scheduled for July 29.
- Councilmember House remarked upon the following: 1) the City has rejoined the Local Government Commission; 2) a recent tour of local parks with the City's Parks and Recreation Director; and 3) the high amount of activity on local beaches that occurred this past weekend.

CONSENT CALENDAR

Motion:

Councilmembers Schneider/Horton to approve the Consent Calendar as recommended.

Vote:

Unanimous voice vote (Absent: Councilmembers Barnwell, Falcone).

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of July 10, 2006, and the regular meeting of July 11, 2006.

Action: Approved the recommendation.

2. Subject: June 30, 2006, Investment Report and June 30, 2006, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the June 30, 2006, Investment Report; and
- B. Accept the June 30, 2006, Fiscal Agent Report.

Action: Approved the recommendations (July 25, 2006, report from the Assistant Finance Director).

3. Subject: Labor Negotiations Contract For 2006-2007 (440.03)

Recommendation: That Council approve and authorize the City Administrator to execute an agreement with the law firm of Liebert Cassidy Whitmore to secure services desired for the City's labor negotiations, in an amount not to exceed \$58,000.

Action: Approved the recommendation; Agreement No. 22,165 (July 25, 2006, report from the Assistant City Administrator).

NOTICES

4. The City Clerk has on Thursday, July 20, 2006, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger Horton reported that the Committee met to review the June 2006 Investment and Fiscal Agent Reports; these reports were approved by the Council as part of this Agenda's Consent Calendar (Item No. 2). The Committee also heard a presentation on the City's insurance portfolio renewal for Fiscal Year 2007.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PARKS AND RECREATION DEPARTMENT

5. Subject: Santa Barbara County Child Care Planning Council Status Of Early Care & Education 2005 And Strategic Plan For 2006-2015 (150.04)

Recommendation: That Council hear a presentation from the Santa Barbara County Child Care Planning Council on the Status of Early Care & Education 2005 and Strategic Plan for Early Care & Education 2006-2015.

Documents:

- July 25, 2006, report from the Parks and Recreation Director.
- "The Status of Early Care and Education for Santa Barbara County, 2005."
- Santa Barbara County Strategic Plan for Early Care and Education 2000-2005: Accomplishments."
- "Strategic Plan for Early Care and Education for Santa Barbara County, 2006-2015."
- PowerPoint presentation prepared and made by the Santa Barbara County Child Care Planning Council.

Speakers:

- Staff: Recreation Programs Manager Sarah Clayton.
- Santa Barbara County Child Care Planning Council: Chair Vishna Herry, Strategic Plan Committee Chair Jennifer Bergquist.
- Member of the Public: Kenneth Loch.

Discussion:

Councilmembers made comments and expressed appreciation to the Child Care Planning Council for its efforts.

CITY ADMINISTRATOR

6. Subject: Initiative Petition To Make Marijuana Offenses The City's Lowest Law Enforcement Policy (110.03)

Recommendation: That Council receive a report from the City Attorney and Police Chief related to the effect of the initiative to make marijuana offenses the City's lowest law enforcement priority, as provided in Elections Code Section 9212.

Documents:

- July 25, 2006, report from the City Attorney and Chief of Police.
- July 24, 2006, memorandum from the City Attorney and Chief of Police.

Speakers:

- Staff: City Attorney Stephen Wiley, Chief of Police Camarino Sanchez.
- Members of the Public: Lazarus; Andrea Roselinsky; Ethan Kravitz, Sensible Santa Barbara; Consuelo Delgado.

By consensus, the Council received the report.

ADMINISTRATIVE SERVICES DEPARTMENT

7. Subject: Initiative Petition To Make Marijuana Offenses The City's Lowest Law Enforcement Priority (110.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Calling and Giving Notice of the Holding of a Special Municipal Election to Be Held in the City on Tuesday, November 7, 2006, for the Submission of a Proposed Ordinance;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Requesting the Board of Supervisors of the County of Santa Barbara to Consolidate a Special Municipal Election to Be Held on November 7, 2006, with the Statewide General Election to Be Held on That Date Pursuant to Section 10403 of the Elections Code; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Directing the City Attorney to Prepare an Impartial Analysis Regarding a City Measure to Be Placed on the Ballot for the November 7, 2006, Special Municipal Election.

Documents:

- July 25, 2006, report from the Administrative Services Director.
- Proposed Resolutions.

(Cont'd)

7. (Cont'd)

The titles of the resolutions were read.

Speakers:

- Staff: City Clerk Services Manager Cynthia Rodriguez.
- Members of the Public: Lazarus; Heather Poet, Lara Cassell and Hathor Hammett, Sensible Santa Barbara; Kristi King.

Motion:

Councilmembers House/Horton to approve the recommendations;
Resolution Nos. 06-066 - 06-068.

Vote:

Unanimous roll call vote (Absent: Councilmembers Barnwell, Falcone).

RECESS

4:08 p.m. - 4:21 p.m.

MAYOR AND COUNCIL REPORTS

10. Subject: Mosquito And Vector Management District Board Interviews And Appointment (140.05)

Recommendation: That Council:

- A. Interview applicants to the Mosquito and Vector Management District Board at an estimated time of 3:30 p.m.; and
- B. Make an appointment to the Mosquito and Vector Management District Board for a term expiring December 31, 2006.

Documents:

- July 25, 2006, report from the Administrative Services Director.
- June 9, 2006, letter from the Mosquito and Vector Management District of Santa Barbara County.

Speakers:

The following applicants were interviewed:
John Gibbs
David Pritchett

Motion:

Councilmembers Horton/Schneider to appoint David Pritchett.

Vote:

Unanimous voice vote (Absent: Councilmembers Barnwell, Falcone).

(Cont'd)

10. (Cont'd)

Appointment:

David Pritchett was appointed to the Mosquito and Vector Management District Board for a term expiring December 31, 2006.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PARKS AND RECREATION DEPARTMENT (CONT'D)

8. Subject: Integrated Pest Management 2005 Annual Report (330.01)

Recommendation: That Council:

- A. Hear a staff presentation on the City's Integrated Pest Management (IPM) Program; and
- B. Accept the Integrated Pest Management (IPM) 2005 Annual Report.

Documents:

- July 25, 2006, report from the Parks and Recreation Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Parks and Recreation Director Nancy Rapp, Parks Manager Santos Escobar, Airport Environmental Compliance Officer Jeffrey McKee.
- IPM Advisory Committee: Eric Cardenas.

Motion:

Councilmembers Williams/Horton to approve recommendation B.

Vote:

Unanimous voice vote (Absent: Councilmembers Barnwell, Falcone).

POLICE DEPARTMENT

9. Subject: Taser Purchase For The Police Department (520.04)

Recommendation: That Council approve the purchase of 145 Taser devices for deployment at the Santa Barbara Police Department.

Documents:

July 25, 2006, report from the Chief of Police.

Speakers:

- Staff: Chief of Police Camarino Sanchez, Police Lieutenant Douglas Kresky, Police Sergeant Bernabe Gaona.
- Member of the Public: Cruzito H. Cruz.

(Cont'd)

9. (Cont'd)

Motion:

Councilmembers Horton/Schneider to approve the recommendation.

Vote:

Unanimous voice vote (Absent: Councilmembers Barnwell, Falcone).

RECESS

The Mayor recessed the meeting at 5:48 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 11.

CLOSED SESSIONS

11. Subject: Conference With Legal Counsel - Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider anticipated litigation pursuant to subsection (c) of section 54956.9 of the Government Code and take appropriate action as needed. There is significant exposure to litigation: one potential case

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

July 25, 2006, City Attorney's report.

Time:

5:50 p.m. - 6:15 p.m.

No report made.

RECESS

6:15 p.m. - 6:25 p.m.

Mayor Blum presiding.

Councilmembers present: Horton, House, Schneider, Williams, Mayor Blum.

Councilmembers absent: Barnwell, Falcone.

Staff present: Assistant City Administrator Joan M. Kent, City Attorney Wiley, Deputy City Clerk Tschech.

PUBLIC COMMENT

Speakers: Nancy Tunnell, Sandy Stites.

PUBLIC HEARINGS

12. Subject: Appeal Of The Planning Commission Approval For 85 N. La Cumbre Road (640.07)

Recommendation: That Council deny the appeal of Miriam Flacks, PUEBLO and the Santa Barbara County Action Network (SB CAN), and uphold the Planning Commission's decision to approve the lot area Modification and Tentative Subdivision Map for the nine-unit residential condominium development proposed at 85 N. La Cumbre Road, making the findings in the Council Agenda Report and subject to the Conditions of Approval in Planning Commission Resolution 022-06.

Documents:

- July 25, 2006, report from the Community Development Director.
- Affidavit of Publication.
- July 14, 2006, letter from Attorney Douglas Fell, representing the property owner.
- July 24, 2006, letter from PUEBLO.

Public Comment Opened:

6:30 p.m.

Speakers:

- Staff: Associate Planner Allison De Busk, Community Development Director Paul Casey, City Attorney Stephen Wiley, City Planner Bettie Weiss.
- Planning Commission: Commissioners Charmaine Jacobs and Harwood White.
- Appellant: Miriam Flacks; Mary O'Gorman, Santa Barbara County Action Network; Harley Augustino, PUEBLO.
- Applicant: Suzanne Elledge and Trish Allen, Suzanne Elledge Planning & Permitting Services; Dave Jones, Lenvik & Minor Architects.

Recess: 7:53 p.m. - 8:00 p.m.

Speakers (Cont'd)

- Members of the Public: Patricia Sandall; Patricia Hiles; Janet Wolf; Naomi Kovacs, Citizens Planning Association; Marilyn Ulvaeus, PUEBLO; Rich Untermann; David Landecker, Citizens Planning Association; Sophia Hernandez; Diana Crockett; Ana Yolanda Cabrera; Angeles Guzman; Fernando Guzman; Margarita Martin del Campo; Marisol Moreno; Ana Maria Rodriguez; Lynn Hendred.

(Cont'd)

12. (Cont'd)

Public Comment Closed:
8:41 p.m.

Motion:

Councilmember Horton to deny the appeal and direct the Planning Division to schedule a work session to be held within 60 days, to which Staff would submit suggestions for policies to address the loss of low- and moderate-income housing in the City.

The motion died for lack of a second.

Recess: 9:19 p.m. - 9:32 p.m.

Motion:

Councilmembers Schneider/Mayor Blum to direct Staff to include on the agenda for the next joint work session of the Council and Planning Commission an item to develop a timeline for the implementation of less complex options to address the issue of the loss of low- and moderate-income housing in the City, prior to the adoption of the General Plan Update.

Vote:

Unanimous voice vote (Absent: Councilmembers Barnwell, Falcone).

Motion:

Mayor Blum/Councilmember House to deny the appeal and condition the project approval on:

- 1) Regarding tenant relocation assistance: Pending the Council's adoption of a Tenant Displacement Assistance Ordinance, the Applicant is to provide the sliding scale plan presented at the Planning Commission and is to double the funding amounts thereunder (this plan is to be approved by the Community Development Director and City Attorney); upon the enactment of a Tenant Displacement Assistance Ordinance, the Applicant shall abide by its provisions and provide any monetary assistance required beyond that furnished by the sliding scale proposal; and
- 2) Regarding the sale of project units: For the first 60 days after the project is first offered for sale, the units will be offered first to tenants of the current building who resided at the time the project was approved by the Planning Commission, and secondly to full-time South Coast area employees; after the initial 60-day period, sale of the units will be opened to the general public.

Vote:

Majority voice vote (Noes: Councilmember Williams; Absent: Councilmembers Barnwell, Falcone).

ADJOURNMENT

Mayor Blum adjourned the meeting at 9:49 p.m.

SANTA BARBARA CITY COUNCIL

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

ATTEST:

MARTY BLUM
MAYOR

SUSAN TSCHECH, CMC
DEPUTY CITY CLERK